



LEAGUE OF MICHIGAN BICYCLISTS

410 S Cedar St - Suite A, Lansing, MI 48912 | 517-334-9100 | john@LMB.org | www.LMB.org

November 1, 2017

Madam Chairperson and honored Committee members, thank you for this opportunity to testify in support of HB 5100. The League of Michigan Bicyclists' mission is to promote bicycling and the safety of bicyclists on Michigan roadways. Our membership is comprised of individual cyclists, bicycle shops, clubs, organizations, manufacturers, trail managers, CVBs, bicycle-friendly businesses, and event organizers across the state.

In 2016, the Michigan Supreme Court ruled in *People v. Dunbar*, that law enforcement were within their legal means to stop a driver whose license plate was partially obstructed by a hitch mounted tow ball. Law enforcement claimed Dunbar violated MCL 257.225 (2), which states that a vehicle's registration plate must be "free from foreign materials that obscure or partially obscure the registration information..."

The reach of this ruling set a dangerous precedent as it broadly interprets the definition of "foreign materials." Rear mounted bike racks and tow balls are now considered obstructions. Likewise, anything pulled by a vehicle such as trailers, boats, campers, ORVs, or other equipment that can be attached to the rear of a vehicle is considered an "obstruction" of the license plate on the transporting vehicle and legal grounds for a traffic stop.

Immediately following the Supreme Court ruling, Michigan bicyclists began receiving traffic citations for having a bicycle rack on their vehicle. With thousands of vehicles in Michigan using rear-mounted bicycle racks and hitch devices, the unintended consequences of this decision are significant.

This ruling is counterproductive to the Pure Michigan marketing efforts that have made Michigan a world-class tourism destination. Michigan is known as the top trail state with the greatest number of rail-trail mileage at more than 2,700 miles, along with 1,300 miles of looped mountain biking trails.

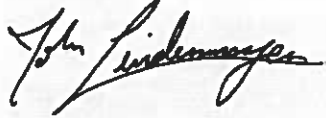
Additionally, Michigan annually hosts over 300 organized cycling events and races that draw participants from across the country. Many transport their bikes on the back of their vehicles to utilize our trails systems and participate in these events. According to a study by the Michigan Department of Transportation, bicycling alone provides \$686 million in annual economic benefits to Michigan.

The prospect of being pulled over solely for using a bicycle rack serves to discourage bicycling. It also negatively impacts tourism based on other outdoor recreational opportunities such as camping and water sports that often require special equipment to be transported.

People v. Dunbar places an unrealistic burden on private citizens. HB 5100 is a common sense bill that clarifies legislative intent to ensure that transporting bicycles and other equipment does not constitute a primary offense for traffic stops.

Thank you once again for this opportunity to testify in support of HB 5100.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lindenmayer", written in a cursive style.

John Lindenmayer
Executive Director
League of Michigan Bicyclists



